

STATE OF NORTH CAROLINA

CUMBERLAND County

FILED

2015 SEP - 1 P 12: 46

File No.

15 SP-1266

In The General Court Of Justice
Superior Court Division
Before the Clerk

IN THE MATTER OF THE ESTATE OF:

Name Of Respondent

LEON BROWN

CUMBERLAND CO., G.S.C.

ORDER ON APPLICATION FOR APPOINTMENT OF GUARDIAN

☒ Incompetent

Date Of Application

☐ Minor

Special Proceedings File No.

15 SP 1266

G.S. 35A-1213, -1214, -1215, -1226

Name And Address Of Guardian

Geraldine Brown Ransom

Name And Address Of Guardian

☐ Of The Estate

☐ Of The Person

☒ General Guardian

☐ Of The Estate

☐ Of The Person

☐ General Guardian

FINDINGS

This matter is before the Court on an application for the appointment of a guardian for the respondent named above. This Court has subject matter jurisdiction over this proceeding and personal jurisdiction over the respondent, and this county is a proper venue.

Upon due notice and hearing, or upon waiver of notice and hearing by all parties entitled thereto and upon their consent, the Court determines that a guardian must or should be appointed, and the Court further finds that each person appointed by this Order is entitled, and is not in anyway disqualified to serve as guardian, and that it is in the best interest of the respondent that the above named person(s) serve as guardian(s).

ADDITIONAL FINDINGS RE: LIMITED GUARDIANSHIP

NOTE TO CLERK: Complete Findings Re: Limited Guardianship only if ordering limited guardianship, otherwise proceed to the Conclusion.

Based on the evidence presented, the Court makes the following specific findings of fact as to the nature of the ward's capacity:

A. Language and Communication

☐ understands conversation and communicates personal needs.

☐ Needs assistance

☐ has capacity to communicate important decisions.

☐ Needs assistance

☐ other: _____

B. Nutrition

☐ makes decisions about when and what to eat.

☐ Needs assistance

☐ knows which foods he/she is unable to tolerate.

☐ Needs assistance

☐ can maintain proper diet.

☐ Needs assistance

☐ can follow a prescribed diet if needed.

☐ Needs assistance

☐ other: _____

C. Personal Hygiene

☐ understands the need to bathe and maintain personal hygiene.

☐ Needs assistance

☐ understands the need to maintain dental care.

☐ Needs assistance

☐ is able to maintain personal hygiene and dental care.

☐ Needs assistance

☐ uses proper hygiene when toileting.

☐ Needs assistance

☐ other: _____

FINDINGS RE: LIMITED GUARDIANSHIP (Continued)

D. Health Care

- | | |
|--|---|
| <input type="checkbox"/> can make and communicate decisions regarding health treatment. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can take care of minor health problems. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can follow prescribed routines and take prescribed medicines. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can alert others and seek medical help for serious health problems. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> has capacity to keep a sanitary living environment. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> other: _____ | |

E. Personal Safety

- | | |
|--|---|
| <input type="checkbox"/> has capacity to identify and avoid life-threatening behaviors. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> is able to recognize and avoid hazards in home. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can handle or seek help in emergencies. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can recognize when others present a danger and avoid that danger. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> other: _____ | |

F. Residential

- | | |
|---|---|
| <input type="checkbox"/> has capacity to live alone. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> has capacity to maintain private residence. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can recognize and communicate need for maintenance of private residence. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can make and communicate decisions about residential options. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> other: _____ | |

G. Employment

- | | |
|---|---|
| <input type="checkbox"/> can make and communicate choice in regard to employment. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> demonstrates skills required to work. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can look for and find a job. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> other: _____ | |

H. Independent Living

- | | |
|---|---|
| <input type="checkbox"/> has capacity to appropriately relate to friends and family members. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> has capacity to make decisions without undue influences from others. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> has capacity to make decisions concerning social activities. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> has capacity to determine degree of participation in religious activities. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can utilize familiar community resources. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> can identify his or her address and return home or seek assistance. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> other: _____ | |

I. Civil

- | | |
|--|---|
| <input type="checkbox"/> Can communicate wishes regarding legal documents or services. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> Can contact lawyer, police, advocates, etc. if being exploited or treated unfairly. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> Demonstrates willingness to vote and can acquire information accordingly. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> Has capacity to drive a car. | <input type="checkbox"/> Needs assistance |
| <input type="checkbox"/> Other: _____ | |

Name Of Ward

LEON BROWN

FINDINGS RE: LIMITED GUARDIANSHIP (Continued)

J. Financial

- ☐ can spend small amounts of money.
- ☐ can manage a weekly or monthly budget.
- ☐ is able to seek out and apply for government benefits.
- ☐ has capacity to pay routine bills.
- ☐ is able to maintain checking account and/or ATM card.
- ☐ is able to make and carry out major financial decisions.
- ☐ other: _____

- ☐ Needs assistance
- ☐ Needs assistance
- ☐ Needs assistance
- ☐ Needs assistance
- ☐ Needs assistance
- ☐ Needs assistance

CONCLUSION

Based on the above findings the Court concludes that it ☐ is ☒ is not in the best interest of the respondent that he/she retain certain rights and privileges as set forth below.

ORDER

It is ORDERED that:

- ☒ each person named above is appointed as guardian of the respondent or minor to serve in the capacity designated, and letters of appointment shall be issued to each such person when he/she properly qualifies to serve.
- ☐ It is further ordered that the ward shall retain the following legal rights and privileges. (check all that apply)
- ☐ Determine his/her degree of participation in interpersonal relationships and social, religious, and community activities.
Additional Specifications: _____
- ☐ Make ☐ Assist in decisions regarding living arrangements.
Additional Specifications: _____
- ☐ Make ☐ Assist in decisions regarding employment.
Additional Specifications: _____
- ☐ Make ☐ Assist in decisions regarding health treatment.
Additional Specifications: _____
- ☐ Take care of minor health problems.
Additional Specifications: _____
- ☐ Contact service providers as needed.
Additional Specifications: _____
- ☐ Handle amounts of money up to \$ _____.
Additional Specifications: _____
- ☐ Maintain personal property other than funds, stocks, bonds, sureties, etc.
Additional Specifications: _____
- ☐ Enter into contracts regarding social, religious, and community activities.
Additional Specifications: _____
- ☐ Enter into contracts regarding residential arrangements.
Additional Specifications: _____
- ☐ Enter into contracts regarding health care, legal and other services.
Additional Specifications: _____
- ☐ Consult with guardian regarding financial decisions.
Additional Specifications: _____
- ☐ Other. _____

Date

9-1-15

Signature

Linda Tullerton

☒ Assistant GSC☐ Clerk Of Superior Court